

217416

Boyd, Jocelyn

From: Nelson, Jeff [jnelson@regstaff.sc.gov]
Sent: Monday, June 29, 2009 4:10 PM
To: John Hoefer; Boyd, Jocelyn
Cc: Edwards, Nanette; Benjamin Mustian
Subject: RE: 2009-101-W

Ms. Boyd,
Unless service was made to some other office at this Agency, ORS has not been served with the Burriss' testimony. Should the Commission grant the request to file testimony out of time, ORS would not object to, and in fact intend to join Mr. Hoefer in requesting an additional seven days in which to pre-file responsive testimony.

Jeffrey M. Nelson, Esq.
S.C. Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201
Phone (803) 737-0823
Fax (803) 737-0895

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, transmission, dissemination or other use of, or taking any action in reliance upon this information, by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers.

From: John Hoefer [mailto:jhoefer@willoughbyhoefer.com]
Sent: Monday, June 29, 2009 3:54 PM
To: Boyd, Jocelyn
Cc: Edwards, Nanette; Nelson, Jeff; Benjamin Mustian
Subject: FW: 2009-101-W

Dear Mrs. Boyd – I am in receipt of the email below from Ms. Duke alerting me to the correspondence to the Commission from Mr. and Mrs. Burriss dated June 23, 2009, in which they seek to file out of time such correspondence as **their** pre-filed "testimony" in connection with the above-referenced matter. The correspondence does not reflect that any of the other parties were copied on this filing and, as of this date, no copy of same has been received in this office and I have no way of knowing when it was mailed.

As you are aware, Mr. and Mrs. Burriss' testimony was due on June 22, 2009. This is to advise that USSC does not object to this filing out-of-time as long as (1) either Mr. or Mrs. Burriss, but not both, are permitted to sponsor this per-filed testimony by testifying at the hearing in this matter and (2) USSC and the other parties of record are provided an extension of seven additional days within which to pre-file their direct testimony in response. If this extension were granted, USSC's and ORS's pre-filed direct testimony in this docket would be due on July 13, 2009. It is my understanding that ORS is in agreement with these terms.

Because I do not have an email address for Mr. and Mrs. Burriss, I will mail them a copy of this email message at the address shown on her complaint. However, if the Commission has an email address for her, I would appreciate your forwarding this message on to her via email with copy to me and ORS.

If you have any questions, please do not hesitate to contact me.

John M.S. Hoefer, Esquire
Willoughby & Hoefer, P.A.
930 Richland Street
Post Office Box 8416
Columbia, South Carolina 29202-8416
Telephone #: (803) 252-3300
Facsimile #: (803) 771-2410
E-mail address: jhoefer@willoughbyhoefer.com

Confidentiality Notice: The information contained in this transmittal, including any attachment, is privileged and confidential information and is intended only for the person or entity to which it is addressed. If you are neither the intended recipient nor the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any disclosure, copying or distribution or the taking of any action in reliance on the contents of this transmittal is strictly prohibited. If you have received this transmittal in error, please contact the sender immediately by telephoning the sender at (803) 252-3300 and, also, please delete this transmittal from any computer or other data bank. Upon request, we will reimburse your reasonable costs of notifying us of a transmission error. Thank you.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein. This advice may not be forwarded (other than within the taxpayer to which it was sent) without our express written consent.

From: Duke, Daphne [mailto:Daphne.Duke@psc.sc.gov]
Sent: Monday, June 29, 2009 3:02 PM
To: John Hoefer
Subject: 2009-101-W

Summary: Deborah and Scott Burriss, Complainant/Petitioner v. Utilities Services of South Carolina, Defendant/Respondent – Testimony of Debbie and Scott Burriss and Request to File Testimony Out of Time

Dockets or NDIs: 2009-101-W

MatterID: 217414

Date Filed: 6/29/09

On Behalf Of: Deborah and Scott Burriss

Att. Show on Public Site: Yes

Daphne B. Duke

Information Resource Consultant I

Docketing Department

Public Service Commission of South Carolina